

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation and Order to Show Cause on the Commission's Own Motion into the Operations and Practices of Pacific Gas and Electric Company with Respect to Locate and Mark Practices and Related Matters.

Investigation 18-12-007

ORDER EXTENDING STATUTORY DEADLINE**Summary**

This decision extends the statutory deadline in this proceeding to March 13, 2020.

1. Background

Pub. Util. Code § 1701.2(i) provides that adjudicatory cases must be resolved within 12 months of initiation unless the Commission makes findings why that deadline cannot be met and issues an order extending that deadline. In this proceeding, the 12-month deadline for its resolution is December 13, 2019.

On December 13, 2018, the Commission initiated this Order Instituting Investigation (OII) into the operations and practices of Pacific Gas and Electric Company (PG&E) with respect to Locate and Mark Practices. On January 14, 2018, PG&E filed its response and parties filed their comments to the OII and Order to Show Cause.

On February 5, 2019, a Law and Motion Hearing was held to address proposed redactions in the investigative report and to clarify the scope of the

proceeding. A Prehearing Conference (PHC) was held on April 4, 2019, to determine the scope of the proceeding, the scope of the evidentiary hearings, and the possibility of a partial settlement or factual stipulation. The assigned Commissioner issued the Scoping Memo and Ruling on May 7, 2019.

On May 29, 2019, an additional PHC was held to address whether a stipulation had been reached and to propose a corresponding procedural schedule. At the request of parties, the schedule was modified to allow the parties additional time.

On October 3, 2019, the Safety and Enforcement Division, the Coalition of California Utility Employees, and PG&E (Settling Parties), filed a motion for approval of a settlement agreement.

On October 4, 2019, the assigned Administrative Law Judge (ALJ) issued a ruling modifying the procedural schedule and setting Evidentiary Hearings only on the proposed settlement agreement for October 21-22, 2019. Comments on the proposed settlement agreement were filed on November 4, 2019. Reply comments were due on November 19, 2019.

Based on the current proceeding status, an extension of the statutory deadline until March 13, 2020, is necessary to review the comments on the proposed settlement agreement and to allow the assigned ALJ enough time to prepare the Presiding Officer's Decision (POD) and serve it on the parties. Pursuant to Rule 14.4(a) of the Commission's Rules of Practice and Procedure parties may file an appeal of the POD 30 days of the date the POD is served. Pursuant to Rule 14.4(b) a Commissioner may file a request for review of the POD within the 30 days of the date the POD is served.

2. Waiver of Comment Period

Pursuant to Rule 14.6(c)(4) of the Commission's Rules of Practice and Procedure, the Commission may reduce or waive the period for public review and comment of proposed decisions extending the deadline for resolving adjudicatory proceedings.

3. Assignment of Proceeding

Clifford Rechtschaffen is the assigned Commissioner and Peter V. Allen is the assigned ALJ and presiding officer in this proceeding.

Findings of Fact

1. The statutory deadline for resolving this adjudication proceeding is December 13, 2019.
2. A Law and Motion Hearing was held on February 5, 2019.
3. PHCs were held on April 4, 2019 and May 29, 2019.
4. The Scoping Memo was issued on May 7, 2019.
5. October 3, 2019, the Settling Parties filed a joint motion for approval of a settlement agreement.
6. Evidentiary Hearing were held on October 21-22, 2019.
7. An extension of the statutory deadline until March 13, 2020, is necessary to review the comments on the proposed settlement and to allow the assigned ALJ enough time to prepare the POD and serve it on the parties.

Conclusion of Law

Pursuant to the Commission's authority under Pub. Util. Code § 1701.2(i), the statutory deadline should be extended until March 13, 2020.

IT IS ORDERED that the statutory deadline in this proceeding is extended until March 13, 2020.

This order is effective today.

Dated _____, at San Francisco, California.